



ANNO QUADRAGESIMO PRIMO.

VICTORIAE REGINÆ.

C A P . X X V I I .

An act to amend chap. 51 of 37 Victoria, Province of Quebec, intituled : "An act to revise and consolidate the charter of the city of Montreal, and the several acts amending the same."

[Assented to 9th, March, 1878.]

W^HEREAS by chapter 51 of 37 Victoria of Quebec, Preamble. the City of Montreal obtained power to acquire and establish a public promenade to be called the "Mount Royal Park" of the extent and figure as traced and painted in green on the plan deposited in the office of the Legislative Council for that purpose ;

Whereas by sub-section 5 of section 196 of the said act it is enacted that "all the area of land tinted *green*, and specified on the said last mentioned plan, and required for the purposes of the said park, and the real estate colored in a light neutral tint on the said plan, shall henceforth, form part of the City of Montreal, and be deemed to be within the limits of the said city, for all municipal purposes, etc., etc., etc ; "

Whereas Patrick McKenna and others have, by their petition to the Legislature of Quebec, prayed that the said sub-section 5 of the said section 196 of the said act be amended, so that the area of land upon the said plan colored a light neutral tint do not form part of the said City of Montreal and be not considered within the limits of the said city for municipal purposes, except when it shall be necessary and requisite to enlarge the said park,

and that it be declared that it was never the intention of the Legislature to include the said property within the City of Montreal, for any other purposes than for those of the said park or its enlargement;

Whereas the said Patrick McKenna and others the petitioners, proprietors of some of the lands above mentioned, were only informed of the provisions of the said sub-section 5 after the last session of the Legislature of Quebec, and that the said property was so included without any public notice to that effect having been given and without their knowledge;

Whereas the said petitioners have by their said petition prayed that the proprietors of the said lands be relieved from their obligations towards the City of Montreal arising therefrom;

And whereas it is expedient to grant the prayer of the said petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

<sup>37 V., c. 51, s.
196, sub-sec.
5. amended.</sup> 1. Sub-section 5 of section 196 of chapter 51 of the statutes of Quebec, 37 Victoria, is amended by adding after the word: "plan" in the fourth line thereof, the following words: "or any part thereof that may be necessary and requisite for the enlargement of the said park or for the purposes of the water-works of Montreal," and by striking out the word: "henceforth," in the said fourth line of the said sub-section 5.

2. The proprietors of all the area of land colored upon the said plan a light neutral tint, are relieved from all responsibility and from all obligations that may have been imposed upon them, by the said sub-section 5 of the said section 196 of the said act, from the passing thereof, in favor of the city of Montreal, and the said properties are hereby considered as having never been detached from and having never ceased to be part of the municipalities to which they belonged, before the passing of the said act,

and the said municipalities shall have the right of collecting the taxes which they would have had the right of collecting on the said properties, if the latter had never been thus included in the city of Montreal, and shall have such right until these properties, or any portion thereof, be required for the enlargement of the said park or for the purposes of the water-works of Montreal; in which case all or the portion of such properties so required shall from part of the city of Montreal, from the time they shall have been acquired by it, either by expropriation under the provisions of the said act, or by amicable arrangement.

3. And whereas in revising and consolidating the act ^{Preamble.} 14 and 15 Vict., ch. 128 and in promulgating section 99 of the said act 37 Vict., ch. 51, the legislature of this Province has intended to continue and retain in force, section 75 of the said act 14 and 15 Vict., ch. 128, respecting the increase or penalty of ten per cent per annum on the arrears of taxes and assessments due to the said city, and whereas the wording of the said section 99 may give rise to an erroneous interpretation thereof, the said section is in consequence amended and the following substituted therefor :

" 99 The said council may grant, by by-law, such rate ^{87 v., c. 51, s.} _{99, replaced} of discount as may be deemed advisable on all taxes, assessments and water rates paid within the proper delay after the completion of the assessment roll in each year, and which the said council shall fix and determine in and by the said by-law; the said council may, by the said by-law exact an increase, addition or penalty of ten per cent per annum, and *pro rata* for each fractional period of time, on the amount of all assessments and taxes, whfch shall not have been paid after the aforesaid delay, from the completion of the assessment roll for each year.

4. This act shall come into force on the day of the ^{Act in force} sanction thereof.

